

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
NOVEMBER 20, 1974

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, November 20, 1974 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - EHRHARDT, HUGHES,
KATNICH, SCHAFFER
and PINKERTON

Absent: Councilmen - None

Also Present; City Manager Henry Glaves, Assistant City Manager Glenn, City Attorney Robert Mullen, Planning Director Schroeder, and Assistant City Engineer Glenn Robison

INVOCATION The invocation was given by Councilman Ehrhardt.

PLEDGE Mayor Pinkerton led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Schaffer, Katnich
second, the minutes of November 6, 1974 were
approved as written and mailed.

PLANNING COMMISSION

ACTIONS OF
INTEREST

The City Manager gave the following report of the Planning Commission meeting of November 12, 1974:

cc 35(c)

1. Recommended that the City Council direct the Public Works Department to install two City of Lodi directional signs on West Pine Street between Sacramento and School Streets directing the public to Pine Alley Theater which is located in an alley south of West Pine Street.

The signs would read "Pine Alley Theater" with an arrow and would be similar to the green and white signs directing people to Lodi Lake, the stadium, Chamber of Commerce and other points of interest. The Planning Director proposes that one sign be placed on the north side of West Pine Street facing east, with the second sign being on the south side facing west.

PINE ALLEY
THEATER SIGN

Following discussion by Council on this matter, on motion of Councilman Katnich, Ehrhardt second, Council adopted Resolution 4011 authorizing the installation of two City of Lodi directional signs reading "Pine Alley Theater", on West Pine Street

RES. NO. 4011

CC 48 UN
PC 300

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between Sacramento and School Streets.

The Planning Commission also took the following actions of interest to the City Council:

1. Approved the request of Dr. John B. Sibole for a Use Permit to establish a veterinary hospital at 318 East Kettleman Lane in an area zoned C-2, General Commercial with the following conditions:
 - a. that the existing asphalt curb be replaced with concrete curb, gutter and sidewalk along the Kettleman Lane frontage in conformance with existing City Policy;
 - b. that the proposed kennels and runs shall be enclosed and noise emanating therefrom shall not exceed the recommended sound levels in the proposed Noise Ordinance; and
 - c. that the final site plan, landscaping, automated sprinkler system and building elevations shall be approved by the Site Plan and Architectural Review Committee.

COMMUNICATIONS

CLAIMS cc 4(c)

A Claim which was filed on behalf of Bert Faunce and Kathleen Faunce, 4824 Brookside, Stockton, California for personal injuries in the amount of
 (a) medical expenses - in excess of \$1,793.00
 (b) future medical specials - unknown
 (c) general damages - \$150,000.00 was presented. On motion of Councilman Schaffer, Katnich second, the Claim was rejected and referred to the City's Agent of Record.

A Claim presented by Bert Faunce on behalf of Justin Faunce, 4824 Brookside, Stockton, California for personal injuries in the amount of
 (a) medical specials - in excess of \$1,793.00
 (b) future medical specials - unknown
 (c) general damages - \$250,000.00 was also presented. On motion of Councilman Katnich, Schaffer second, the Claim was rejected and referred to the City's Agent of Record.

A Claim for property damage in the amount of \$600.00 filed on behalf of John Roy Erickson, 1605 West Laurel Street, Visalia, California was presented. The Claim was rejected and referred to the City's Agent of Record on motion of Councilman Schaffer, Katnich second.

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A Claim for property damage in the amount of \$6,210.00 filed on behalf of C. L. Rosenquist, 1605 W. Laurel Avenue, Visalia, California was presented by the City Clerk. On motion of Councilman Ehrhardt, Schaffer second, the Claim was rejected and referred to the City's Agent of Record.

ABC LICENSE
CC 7(f)

An application for Alcoholic Beverage License was received for Elizabeth Gregorio, Earl's Club, 1 North Sacramento Street, On Sale Beer and Wine License - Eating Place, Person to Person Transfer.

CITY OF LODI
TRANSPORTATION
STUDY COMMITTEE
CC 50(a)

Councilman Ehrhardt reported that the City of Lodi Transportation Study Committee had its first meeting November 18, 1974. The following people had been named to serve on this committee:

Nick Rust, Leroy Olson, Kay Lang, Harold Schmidt, Andy Wittmayer, Laura Ahern, Dick Reineke, Rae Margrave, Herman Kruse. Councilman Ehrhardt had been named by Mayor Pinkerton to chair the Committee.

The next meeting is to be held December 10, 1974 and the Committee has projected its initial report to Council will be presented about February 1 or February 15, 1974.

REQUEST FOR
AREA TO RIDE
MOTORCYCLES
CC 50(a)

Mr. Kip Quetone, 741 Willow Glen Drive, Lodi addressed the Council, stating that he was speaking on behalf of a group of young people asking that the City of Lodi provide a place for them to ride their motorcycles. Mr. Quetone stated that in the past they had been able to ride in the Lodi Lake area, but that this area was no longer available to them.

Mayor Pinkerton stressed the Council's willingness to assist these young people in their request and asked Mr. Quetone's group to form a committee to meet with Councilman Ehrhardt regarding this matter. Councilman Ehrhardt told the group that insurance was a major factor in such a project.

City Attorney Mullen interjected that it was most important that the parents of these young people be involved in the project.

SAMUEL SALAS
DRAINAGE BASIN

A preliminary Master Plan report was presented by Mr. Jim Malcom and Mr. Pat Fenwick of Creative Planning and Management, Inc. on the Samuel D. Salas Drainage Basin Park. The Samuel D. Salas Drainage Basin Park site is located south, southeast of the City of Lodi, just outside of the existing City limits. The park site, 21 acres in size, is located at the southwest corner of the future intersection of Century Boulevard and

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South Stockton Street. It is bounded by (proposed) Century Boulevard to the north, agricultural land to the south, South Stockton Street to the east, and the Southern Pacific Railroad tracks to the west.

A diagram of the proposed park basin was presented for the Council's scrutiny. Council directed questions to Mr. Malcom and Mr. Fenwick regarding this project following the presentation.

REPORTS OF THE
CITY MANAGER

In accordance with report and recommendation of the City Manager, as specified below, on motion of Councilman Hughes, Katnich second, Council approved the following actions:

CLAIMS
cc 21(a)

CLAIMS WERE APPROVED IN THE AMOUNT OF \$415,998.15.

ACCEPTANCE OF
WALNUT &
WASHINGTON
STREETS STORM
DRAIN
cc 90

COUNCIL ACCEPTED THE IMPROVEMENTS IN "WALNUT AND WASHINGTON STREETS STORM DRAIN, STOCKTON STREET TO ALLEY N/O WALNUT STREET", AND DIRECTED THE ASSISTANT CITY ENGINEER TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

Report of the City Manager reflects that the contract for this project was awarded to Mr. William Burkhardt on October 2, 1974. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council. The City Manager recommended the acceptance of this project.

ACCEPTANCE OF
"TRAFFIC SIGNAL
& HIGHWAY LIGHT-
ING, LODI AVE. &
STOCKTON ST."
cc 90

COUNCIL ACCEPTED THE IMPROVEMENTS IN "TRAFFIC SIGNAL AND HIGHWAY LIGHTING, LODI AVENUE AND STOCKTON STREET", AND DIRECTED THE ASSISTANT CITY ENGINEER TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

The report of City Manager Graves reflected that the contract for this project was awarded to M & M Electric on April 3, 1974. The contract was completed on November 12, 1974 and was completed in substantial conformance with the plans and specifications approved by the City Council.

ACCEPTANCE OF
"SUBDIVISION
PAVING-1974"
cc 46
cc 90

COUNCIL ACCEPTED THE IMPROVEMENTS IN "SUBDIVISION PAVING- 1974" AND DIRECTED THE ASSISTANT CITY ENGINEER TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

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City Manager Graves recommended that the Council accept the improvements in "Subdivision Paving - 1974" stating that the contract was awarded to the Claude C. Wood Company on October 2, 1974. The contract was completed on November 15, 1974 and was completed in substantial conformance with the plans and specifications approved by the City Council.

APPROVED PLANS & SPECS FOR "TRAFFIC SIGNAL AND LIGHTING SYSTEM STREET AND CHURCH STREET", AND LOCKEFORD ST. & CHURCH ST." COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "TRAFFIC SIGNAL AND LIGHTING SYSTEM, LOCKEFORD STREET AND CHURCH STREET", AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

CC 12.1 (6)
APPROVAL OF REIMBURSEMENT AGREEMENT ENGLISH OAKS MANOR, UNIT NO. 1

CC 90

COUNCIL APPROVED WATER MAIN EXTENSION REIMBURSEMENT AGREEMENT WITH WESTMONT DEVELOPMENT COMPANY FOR ENGLISH OAKS MANOR, UNIT NO. 1 AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF LODI.

In a report to the Council, City Manager Graves recommended that the Council approve the water main extension reimbursement agreement with Westmont Development Company for English Oaks Manor, Unit No. 1, stating that in February 1972, the City of Lodi entered into an agreement with Westmont Development Company to extend certain sewer and water lines to serve English Oaks Manor, Unit No. 1. The water main extension agreement provides for reimbursement from two separate areas. These areas are the frontage along the west side of Hutchins Street and a parcel along the north line of Century Boulevard. An 8-inch line was extended from Well #12 southerly to English Oaks Manor, Unit No. 1, thence west to Ham Lane. The agreement provides for a maximum reimbursement of \$22,440, which is \$6.94 per front foot on the Hutchins Street frontage and \$4.85 per front foot along the north line of Century Boulevard. The agreement was prepared in accordance with Ordinance No. 1012.

FENCING ALONG R/W OF SPRR BETWEEN WASHINGTON ST. & CHEROKEE LANE City Manager Graves reported that per direction of the City Council, Staff investigated the following three areas in regard to fencing along the right-of-way of the Southern Pacific Railroad between Washington Street and Cherokee Lane:

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- (1) the liability assumed by the construction of such a fence
- (2) the cost of the maintenance; and
- (3) an alternate fencing design

In a report to the Assistant City Engineer, City Attorney Mullen indicated that in the event that the City undertook to construct a fence within the indicated area, the City would thereby incur a liability where none exists at the present time. If the fence were erected, the City Attorney also indicated that the City would be responsible for its future maintenance and failure to maintain this fence could also cause a possible liability to the City.

In keeping with the City Attorney's comments, Staff has recommended that the City not install a fence along the Southern Pacific Railroad from Washington Street to Cherokee Lane.

On motion of Councilman Ehrhardt, Hughes second, Council, by the following vote, voted not to install a fence along the right-of-way of Southern Pacific Railroad between Washington Street and Cherokee Lane until such time as there is a strong warrant for this fencing:

Ayes: Councilmen - Ehrhardt, Hughes, Schaffer and Pinkerton

Noes: Councilmen - Katnich

Absent: Councilmen - None

VAUGHAN
PROPERTY
LIBRARY SITE
AGREEMENT
APPROVED
cc 29

City Manager Graves presented to the Council a purchase agreement for the Vaughan property Library site located on the northeast corner of Locust and Pleasant Avenue (George L. Vaughan and Berniece M. Vaughan). The City Manager reported that under this Agreement the City agrees to pay the sum of \$26,000 for this property. The Agreement also carries the stipulation that if there is a definite determination not to construct a library building at the site of the subject property by the City of Lodi and by the Board of Trustees of the Lodi Public Library within two years of the date of this Agreement, the Grantors shall have the right to re-purchase the property at a cost of \$26,000 net to the City.

Following discussion on the matter, the Council by the following vote approved the Agreement and

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authorized the City Manager to execute the Agreement on behalf of the City of Lodi:

Ayes: Councilmen - Ehrhardt, Hughes, Katnich and Pinkerton

Noes: Councilmen - Schaffer (Councilman Schaffer qualified his vote by saying that he "objects to the purchase of the property as a whole, but agrees to the agreement with the Vaughans".)

Absent: Councilmen - None

MILEAGE REIM-
BURSEMENT
ALLOWANCE
INCREASED

cc 6

City Manager Graves reported that since 1968 the mileage allowance for reimbursing City employees and officials for the use of private autos when necessary for City business has been \$0.10 per mile. Present studies indicate the cost of operating a vehicle is well over \$0.10 per mile. The IRS is now allowing \$0.15 per mile for income tax purposes.

On motion of Councilman Ehrhardt, Hughes second, the Council increased the mileage reimbursement allowance to City employees and officials for the use of private autos when necessary for City business to \$0.15 per mile, effective January 1, 1975.

TRUCK TRAFFIC
COMPLAINTS -
TURNER ROAD

cc 16

The City Manager reported that the City has received a number of written and telephoned complaints regarding the truck traffic on Turner Road, asking that something be done to alleviate the problem.

Mayor Pinkerton requested Mayor Pro Tempore Schaffer to assume the chair, explaining that because his residence is located on Turner Road, he would abstain from the discussion.

Following considerable discussion by Council on the matter, Mayor Pro Tempore Schaffer, with concurrence of the Council, directed Staff to conduct a further study of the matter and asked that Staff check with Cal Trans for support information and possible assistance in an origin-destination study of this area, asking that Staff bring their report back to Council as soon as possible.

ORDINANCES

REZONE FROM
R-MD TO P-D 12

cc 53(a)
cc 149

ORDINANCE NO. 1046 - 1 entitled "AN ORDINANCE AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING THE CHERRY TREE SUBDIVISION LOCATED ON THE WEST SIDE OF SOUTH CHURCH STREET BETWEEN

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ORD. NO. 1046
ADOPTED

WEST KETTLEMAN LANE AND WEST CENTURY BOULEVARD FROM THE R-MD, MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICT TO P-D(12), PLANNED DEVELOPMENT DISTRICT NO. 12, WITH CERTAIN CONDITIONS." having been introduced at a regular meeting on November 6, 1974, was brought up for passage on motion of Councilman Schaffer, Katnich second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen EHRHARDT HUGHES,
KATNICH, SCHAFFER,
and PINKERTON

Noes: Councilmen - None

Absent: Councilmen - None

ITEMS OF
INTEREST

Councilman Schaffer introduced Mr. R. J. Sailer of Bismark, North Dakota, who was in the audience, stating that Mr. Sailer has been very involved in water matters within the State of North Dakota.

Councilman Schaffer announced that he and Assistant City Manager Jerry Glenn were presently making arrangements for a League of California Central Valley Division Executive Board meeting to be held in Modesto on Thursday evening, November 21, 1974 at 7:00 p.m. at Harry's Chuck Wagon.

Also, Councilman Schaffer announced that a committee meeting had been held on Monday, November 18, 1974 to discuss the purchase of the old Tokay High School site. Another meeting has been scheduled for November 26, 1974 on this matter.

ADJOURNMENT

There being no further business, on motion of Councilman Katnich, Ehrhardt second, the Mayor adjourned the meeting to an executive session to discuss personnel matters at approximately 9:30 p.m.

Alice M. Reimche
ATTEST: ALICE M. REIMCHE
City Clerk